

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**In re: TESTOSTERONE
REPLACEMENT THERAPY
PRODUCTS LIABILITY LITIGATION**

Case No. 14-cv-01748
MDL No. 2545

This document relates to Case No. 1:14-cv-02221, *John Emmons v. AbbVie, Inc., et al.*

MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

Plaintiff, John Emmons, by counsel, moves for leave to amend his Complaint pursuant to Federal Rule of Civil Procedure 15(a)(2). Plaintiff initially filed his Complaint in this litigation on March 28, 2014. Defendants have since filed a motion to dismiss on June 4, 2014.

Under FRCP 15(a)(2), the “court should freely give leave [to amend] when justice so requires.” At a hearing on July 10, 2014, Plaintiffs recommended that they file Amended Complaints at the same time as their opposition to the Defendants’ motion to dismiss. Defendants did not object. At that time, the Court ordered that Plaintiffs, subject to Defendants’ joint motion to dismiss, “will file [their] amended complaint at the same time [Plaintiffs] file the [response brief].” See **Exhibit 1**, Excerpt of Transcript of proceedings Before the Honorable Matthew F. Kennelly, 56:25-57:3.

For good cause shown, Plaintiff John Emmons respectfully requests leave to file the attached Amended Complaint. See **Exhibit 2**, Amended Complaint.

Dated: August 15, 2014

Respectfully Submitted,

s/ Bill Robins III

Bill Robins III

Heard Robins Cloud LLP

808 Wilshire, Suite 450

Santa Monica, California 90401

Tel. 310.927.4200

Facsimile 310.566.5900

robins@heardrobins.com

(Admitted *pro hac vice*)

s/ Myron M. Cherry

Myron Cherry

Myron M. Cherry & Associates, LLC

30 North LaSalle Street, Suite 2300

Chicago, Illinois 60602

Tel. 312.372.2100

Facsimile 312.853.0279

mcherry@cherry-law.com

COUNSEL FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that, on August 15, 2014, the foregoing document was filed via the Court's CM-ECF system, which will automatically serve and send email notification of such filing to all registered attorneys of record.

By /s/ Bill Robins III
Bill Robins III